

**ORIGINAL**

FILED IN OPEN COURT  
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

OCT 7 2020

James M. Hatten, Clerk  
By: *Amber L. Smith*  
Deputy Clerk

UNITED STATES OF AMERICA

v.

WILLIAM S. McDEW

Criminal Indictment

No. **1 20 - CR - 411**

UNDER SEAL

THE GRAND JURY CHARGES THAT:

**Count One**  
**(18 U.S.C. §§ 922(g)(1))**

On or about July 31, 2020, in the Northern District of Georgia, the defendant, WILLIAM S. McDEW, knowing that he had been previously convicted of at least one of the following offenses:

- 1) Violation of the Georgia Controlled Substances Act, Possession with Intent to Distribute Cocaine, on or about December 3, 1997, in Cobb County, Georgia, Superior Court, for conduct occurring on or about October 7, 1996;
- 2) Violation of the Georgia Controlled Substances Act, Possession with Intent to Distribute Marijuana, on or about December 3, 1997, in Cobb County, Georgia, Superior Court, for conduct occurring on or about January 11, 1997;
- 3) Violation of the Georgia Controlled Substances Act on or about August 9, 2001, in Cobb County, Georgia, Superior Court, for conduct occurring on or about January 8, 1998;

- 4) Violation of the Georgia Controlled Substances Act on or about August 9, 2001, in Cobb County, Georgia, Superior Court, for conduct occurring on or about January 14, 2000;
- 5) Violation of the Georgia Controlled Substances Act, Sale of Cocaine, on or about June 18, 2002, in Cobb County, Georgia, Superior Court, for conduct occurring on or about March 14, 2001;
- 6) Violation of the Georgia Controlled Substances Act on or about June 18, 2002, in Cobb County, Georgia, Superior Court, for conduct occurring on or about March 20, 2001;
- 7) Forgery in the Second Degree on or about January 28, 2013, in Cobb County, Georgia Superior Court, for conduct occurring on or about June 11, 2012; and
- 8) Forgery in the First Degree on or about March 17, 2015, in Paulding County, Georgia, Superior Court, for conduct occurring on or about June 10, 2012,

each of the aforesaid convictions being for crimes punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, that is, a Hi-Point, model C9, 9 millimeter pistol, in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

**Count Two**  
**21 U.S.C. § 841(a)**

On or about July 31, 2020, in the Northern District of Georgia, the defendant, William S. McDew, did knowingly and intentionally distribute a controlled

substance, said act involving at least five grams of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, pursuant to Title 21, United States Code, Section 841(b)(1)(B)(viii), all in violation of Title 21, United States Code, Section 841(a)(1).

### **Prior Conviction Notice**

Before the defendant, WILLIAM S. McDEW, committed the offense described in Count Two of this Indictment, the defendant had been convicted of violating the Georgia Controlled Substances Act, on or about June 18, 2002, in the Superior Court of Cobb County, Georgia, a serious drug felony, for which the defendant served more than 12 months of imprisonment, and for which the defendant was released from serving any term of imprisonment, related to that offense, within 15 years of the commencement of the offense described in Count Two of this Indictment.

### **Count Three 21 U.S.C. §§ 841(a)**

On or about August 19, 2020, in the Northern District of Georgia, the defendant, William S. McDew, did knowingly and intentionally distribute a controlled substance, said act involving at least five grams of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, pursuant to Title 21, United States Code, Section 841(b)(1)(B)(viii), all in violation of Title 21, United States Code, Section 841(a)(1).

### **Prior Conviction Notice**

Before the defendant, WILLIAM S. McDEW, committed the offense described in Count Three of this Indictment, the defendant had been convicted of violating

the Georgia Controlled Substances Act, on or about June 18, 2002, in the Superior Court of Cobb County, Georgia, a serious drug felony, for which the defendant served more than 12 months of imprisonment, and for which the defendant was released from serving any term of imprisonment, related to that offense, within 15 years of the commencement of the offense described in Count Three of this Indictment.

### **Forfeiture Provision**

As a result of committing the offense alleged in Count One of this Indictment, the Defendant, WILLIAM S. McDEW, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461, all firearms and ammunition involved in and used in the offense charged, including but not limited to all those listed above.

Finally, if, as a result of any act or omission of the defendant, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

the United States intends, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

Upon conviction of the offenses alleged in Counts Two or Three of this Indictment, that is, a violation of Title 21, United States Code, Section 841(a), the defendant, WILLIAM S. McDEW, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of said violation and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violation, including but not limited to, a money judgment; that is, a sum of money in United States currency representing the amount of proceeds obtained as a result of the offense for which the defendant is convicted.

A TRUE BILL  
FOREPERSON

BYUNG J. PAK  
*United States Attorney*

*Alana R. Black*  
ALANA R. BLACK  
*Assistant United States Attorney*  
Georgia Bar No. 785045

600 U.S. Courthouse  
75 Ted Turner Drive SW  
Atlanta, GA 30303  
404-581-6000; Fax: 404-581-6181